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INFINITI RE, LLC

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

In re:

Case No. 2010-29657

Chapter 13

D.C. No. JMC-2

ALLAN MANGAYAYAM.

**AMENDED NOTICE OF MOTION TO
DISMISS**

Date: May 25, 2010

Time: 9:32 a.m.

Place: Dept B, Courtroom 32

Judge: Thomas C. Holman

[11 U.S.C. §1307(c)]

TO THE RESPONDENT NAMED ABOVE:

PLEASE TAKE NOTICE that a hearing on the Motion to Dismiss under 11 U.S.C.

§1307(c) brought by Sarah J. Link, Dennis Follain, and Infiniti RE, LLC (“Movants”), will be heard in the courtroom of the Honorable Thomas C. Holman in the above-captioned court, located at 501 “I” Street, 6th Floor, Courtroom 32, Department B, Sacramento California, 95814, on May 25, 2010, at 9:32 a.m.

1 This motion is based on the Motion to Dismiss, the Declaration in Support of Motion to
2 Dismiss, and the Notice of Motion to Dismiss and on such further evidence and oral argument
3 as may be presented to the court at the hearing.

4 PLEASE TAKE FURTHER NOTICE that any opposition to the granting of the motion
5 shall be in writing, supported by written evidence, and shall be served on counsel for the
6 Moving parties, Joseph M. Canning, Esq., Hillman, Lucas & Jones, P.C., One Harbor Center,
7 Suite 220, Suisun City, CA 94585, and filed with the Clerk by Responding Party, at the United
8 States Bankruptcy Court, 501 "I" Street, Room 7-500, Sacramento, CA 95814, not less than
9 fourteen (14) calendar days preceding the noticed (or continued) date of hearing.

10 The opposition shall specify whether the responding party consents to the Court's
11 resolution of the disputed material factual issues pursuant to FRCivP 43(e) as made applicable
12 by FRBP 9017. If the responding party does not so consent, the opposition shall include a
13 separate statement identifying each disputed material factual issue. The separate statement
14 shall enumerate discretely each of the disputed material factual issues and cite the particular
15 portions of the record demonstrating that a factual issue is both material and in dispute. Failure
16 to file the separate statement shall be construed as consent to resolution of the motion and all
17 disputed material factual issues pursuant to FRCivP 43(e).

18 PLEASE TAKE FURTHER NOTICE that unless written opposition and supporting
19 evidence are timely filed with the Clerk of the Court, and served on the Moving Parties, the
20 court may strike untimely filed written opposition and resolve the matter without oral argument
21 or impose sanctions.

22
23 Dated: April 30, 2010

HILLMAN, LUCAS & JONES, P.C.

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25 By:/s/ Joseph M. Canning
26 Joseph M. Canning
27 Attorney for Movants,
28 SARAH J. LINK, DENNIS FOLLAIN, AND
INFINITI RE, LLC